



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00003
Application Type: Rezoning
CPC Hearing Date: July 17, 2014
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: 5101 Fairbanks Drive
Legal Description: Lot 1, Block 28, Terrace Hills Addition Unit Four, City of El Paso, El Paso County, Texas
Acreage: 0.226
Rep District: 4
Current Zoning: R-3 (Residential)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: None
Request: From R-3 (Residential) to G-MU (General Mixed Use)
Proposed Use: General Mixed Use, Commercial and Apartments

Property Owner: Cavallion Developers, LLC
Applicant: Danytsia Enriquez
Representative: Danytsia Enriquez

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Single-family dwellings
South: R-3 (Residential) / El Paso Electric Company Easement
East: C-1 (Commercial) / Retail and El Paso Electric Company Easement
West: R-3 (Residential) / Single-family dwellings

PLAN EL PASO DESIGNATION: G-3, Post-War (Northeast Planning Area)

NEAREST PARK: Colonia Verde Park (2,163 feet)

NEAREST SCHOOL: Terrace Hills Middle School (1,887 feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area. This was verified through Community Development Department data on recognized neighborhood associations.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 2, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-3 (Residential) to G-MU (General Mixed Use) in order to allow mixed-use development. The applicant's Master Zoning Plan shows a two-story mixed use development consisting of 6 commercial spaces, two-one bedroom apartments, and open space. All yard setbacks requested are zero feet. The Master Zoning Plan Report is attached (Attachment #4). The proposed development complements the existing residential development with neighborhood commercial uses that can be used by the existing neighborhood and residents of the new development. The development requires a minimum of 20 parking spaces and the applicant is providing 10 parking spaces. The applicant is seeking a 50 percent parking reduction, which can be granted by City Council as part of the G-MU Master Zoning Plan.

As the property is less than 3 acres for a G-MU district. City Council will be asked to approve a reduction in minimum district area as part of zoning request.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to G-MU (General Mixed Use) and the Master Zoning Plan as it complies with requirements of Section 20.04.200 Master Zoning Plan and is compatible with the comprehensive plan and surrounding development in the area. This development also complies with the purpose, principles and guidelines of the G-MU District.

ANALYSIS

20.04.200 Master Zoning Plan.

A. Master Zoning Plan (MZP).

1. As part of any zoning application for a mixed use district, a Master Zoning Plan shall be required and shall accompany the application. The MZP shall provide sufficient details necessary about the proposed land uses and proposed development so that the El Paso City Council may determine their compatibility within the proposed district and the impact on the adjacent properties.

See enclosed Master Zoning Plan Report. The Plan complies.

As part of the MZP, an application may propose and delineate subdistricts. A subdistrict is a geographic subcomponent of a larger mixed use district. Its purpose is to enable the incremental measurement and reconciliation of maximum dwelling units, density and other data required in the MZP to subsequent development. Where practical, a subdistrict's boundary should be consistent with natural geographic features, reflect man-made transitional barriers (such as roadways), or separate sharp changes in proposed land uses.

2. While the submittal requirements below reflect the use of subdistricts, their use is not required. Applications not using subdistricts shall be required to submit the same information but aggregated for the entire mixed use district. The MZP shall, at a minimum, include the proposed land uses and locations, as well as the information required below.

3. Submittal Requirements.

- a. General Data Required for the Mixed Use District.
 - i. Total acreage;
 - ii. Maximum proposed total number of dwelling units for all residential land uses combined;
 - iii. Maximum proposed total Floor Area for all nonresidential land uses combined, expressed in square feet.
- b. General Data Required for Each Proposed Subdistrict.
 - i. Total acreage;
 - ii. Maximum proposed total number of dwelling units for all residential land uses combined;
 - iii. Maximum proposed floor area for all nonresidential land use uses combined, expressed in square feet.
- c. Property Development Regulations Required per Subdistrict by Land Use Type.
 - i. Proposed acreages for each proposed land use including parks, open space, buffer zones, trails and school sites (as applicable);
 - ii. Minimum and maximum lot coverages;
 - iii. Minimum lot width;
 - iv. Minimum lot depth;
 - v. Minimum building setbacks:
 - (A) Front,
 - (B) Rear,
 - (C) Cumulative front and rear,
 - (D) Side-interior,
 - (E) Side-street,

- (F) Cumulative side setbacks,
- (G) Garage;

vi. Maximum building height:

- (A) Primary structure(s),
- (B) Accessory structure(s);

vii. Maximum proposed density for each residential land use type expressed in dwelling units per gross acre of developable land;

viii. Maximum proposed intensity for each nonresidential land use type expressed in floor area ratio (FAR).

d. Development Plan Map Requirements.

- i. Overall development boundary, labeled with bearings and distances;
- ii. General arrangement and acreages of existing and proposed land uses including open space;
- iii. Proposed phasing boundaries;
- iv. Layout and relationship of proposed development where adjacent to existing development;
- v. General location and acreages for each proposed park, open space, buffer zone, trails and school site (as applicable), provided that any change in location may be approved administratively by the parks director.

The applicant complies.

4. A table or list depicting the proposed acreage for each land use type, park, open space, trail and school site (as applicable) shall accompany the MZP.

See enclosed Master Zoning Plan Report.

5. A written report shall accompany the MZP that describes the purpose, characteristics, components and timing of the proposed mix of land uses within the development, and includes a general statement of how the development relates to the city's comprehensive plan. A detailed description shall be required for each proposed land use, identifying the permissible uses for any subdistrict within the mixed-use district to determine the compatibility of such uses within the mixed use district.

See enclosed Master Zoning Plan Report.

6. A phasing schedule shall be submitted with the rezoning application that indicates the proposed phasing of the development, the approximate time frame in which construction and development is expected to begin and the duration of time required for completion of the development.

The applicant is proposing to build the retail first with apartments to be built later.

7. The application for mixed use zoning, to include the MZP, shall be reviewed by the city plan commission (CPC) for recommendation to city council. The CPC may recommend any amendments or conditions to the MZP necessary to minimize incompatibilities between land uses within the development or between land uses and adjacent properties or with the stated purposes of zoning in this title.

The applicant complies.

8. As part of the approval and adoption of a mixed use district, the city council shall find that the development will promote compatible buildings and uses, and that such development will be appropriate in area, location and overall planning for the purpose intended, in accordance with the city's comprehensive plan and stated purposes of zoning in this title. The city council, in approving any mixed use district, will also be approving the MZP establishing the required zoning standards within the district. Approval of a mixed use district by city council designates the zoning for the property as stated in the ordinance approving such zoning and as depicted on the MZP. All development of the property, regardless of whether the property changes ownership, shall be in accordance with the Master Zoning Plan.

The applicant complies.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the G-MU (General Mixed Use) district is to accommodate, encourage and promote innovatively designed developments involving the combining and mixing of uses allowed in various zoning districts with appropriate regulations, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for large-scale developments that are able to function as individual neighborhoods or an integrated collection (two or more) of individual neighborhoods supported by civic, commercial and recreational uses; as small-scale developments requiring flexibility because of unique design characteristics; or as transitional areas between dissimilar land uses. It is intended that the district regulations permit flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

COMMENTS:

Planning Division - Transportation

TIA is not required.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

City Development Department – Plan Review

No objections to the rezoning request.

City Development Department - Land Development

No objections.

Fire Department

The Fire Department has no adverse comments therefore recommends approval of this case.

Police Department

Based on the information has provided the El Paso Police department that has no issues with this request.

El Paso Water Utilities

We have reviewed the zoning change request reference above and provide the following comments:

1. EPWU does not object to this request.

Water:

2. There is an existing 16-inch diameter water main along Shenandoah Street that is available for service, the water main is located approximately 10-ft east from the center line of the right-of-way.

3. There is an existing 12-inch diameter water main along Fairbanks Drive. The water main is located approximately 60-ft south from the southern property line.

4. There is an existing 18-inch diameter water main extending parallel to the eastern property line approximately 2.5-ft east from the eastern property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

5 Previous water pressure reading from fire hydrant # 927 located at the west intersection of Shenandoah Street and Fairbanks Drive, have yielded a static pressure of 84 (psi) pounds per square inch, a residual pressure of 80 (psi) pounds per square inch and a discharge of 1061 (gpm) gallons per minute.

6. The owner should, for his own protection and at his own expense, install at the discharge side of each

water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main along Shenandoah Street that is available for service, the sewer main is located approximately 5-ft west from the center line of the right-of-way.

8. There is an existing 12-inch diameter sanitary sewer main along Fairbanks Drive that is available for service, the sewer main is located approximately 25-ft south from the center line of the right-of-way.

General:

9. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments:

Attachment 1: Zoning Map

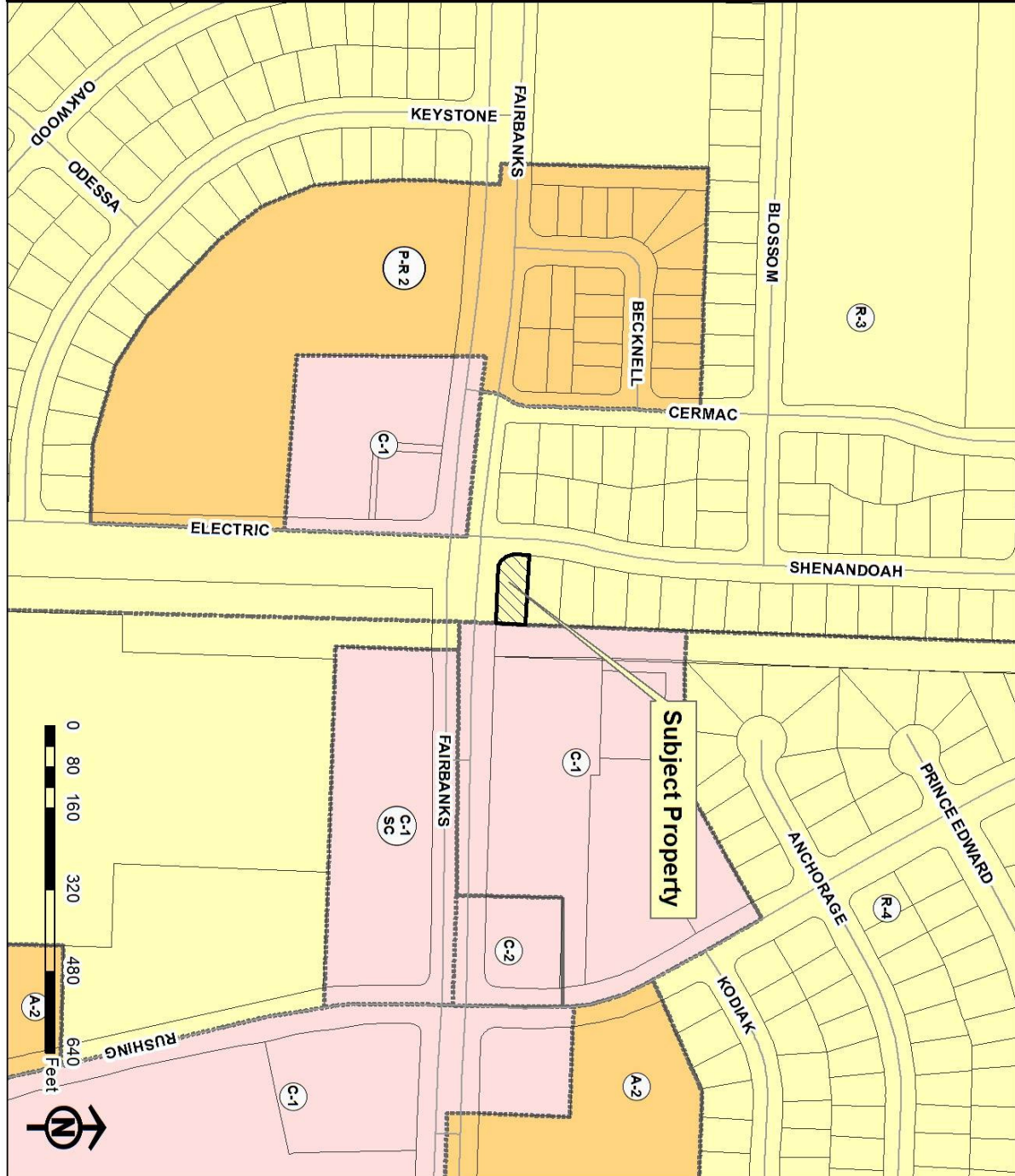
Attachment 2: Aerial Map

Attachment 3: Master Zoning Plan

Attachment 4: Master Zoning Plan Report

ATTACHMENT 1: ZONING MAP

PZRZ14-00003

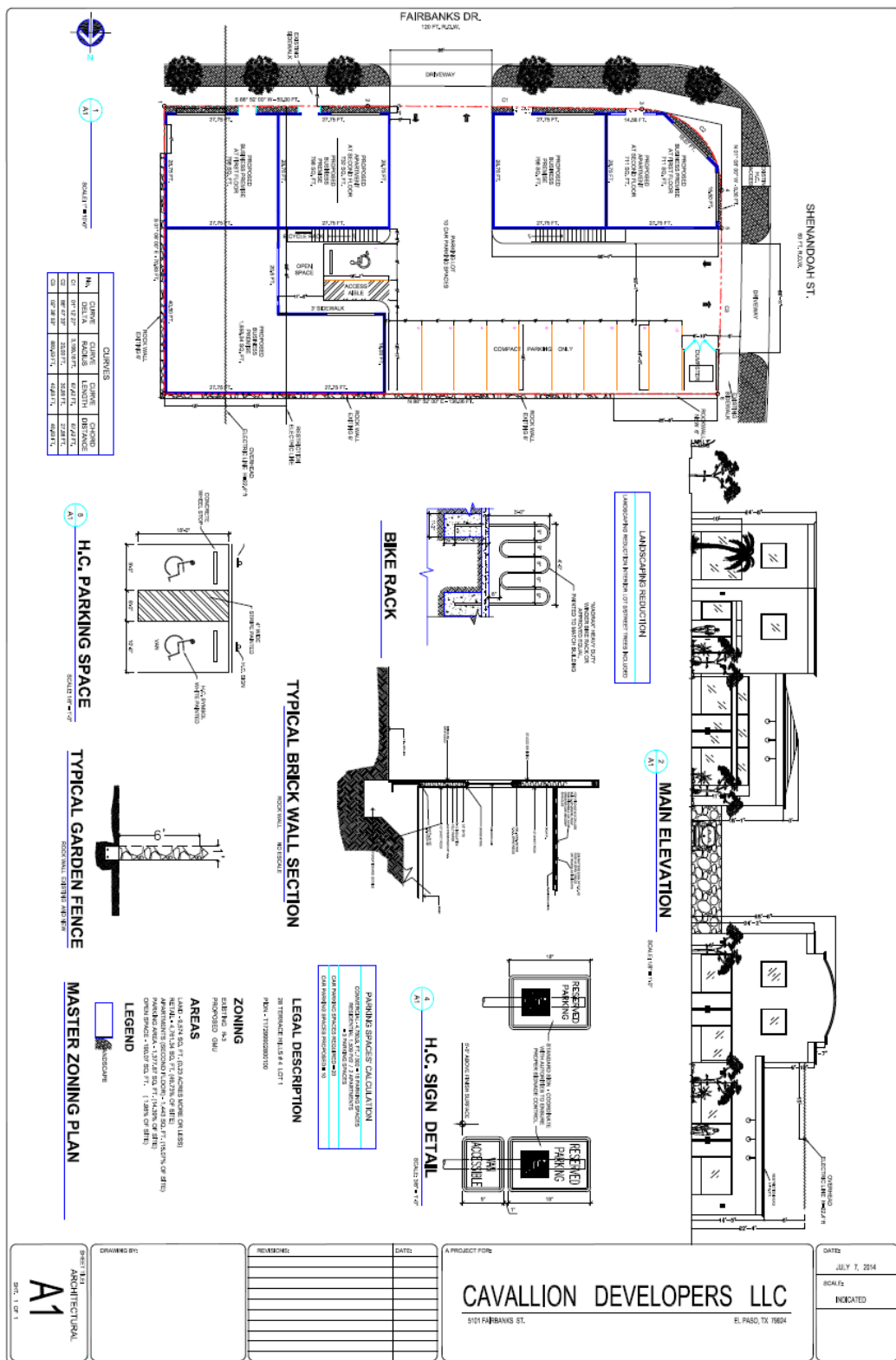


ATTACHMENT 2: AERIAL MAP

PZRZ14-00003



ATTACHMENT 3: MASTER ZONING PLAN



ATTACHMENT 4: MASTER ZONING PLAN REPORT

**MASTER ZONING PLAN FOR A GENERAL MIXED USE
GMU PROJECT**

FAIRBANKS AND SHENANDOAH

**5101 Fairbanks Dr
EL Paso Texas, 79924**

By

CAVALLION DEVELOPERS LLC

**5317 Garry Owen
El Paso Texas 79903
danytsia@hotmail.com
(915)929-3761**

June 17, 2014

I. Purpose and Intent

The intention of this GMU project is to offer to the Northeast community a new friendly development to improve their neighborhood area and offer options to make their daily activities easy and accessible, strengthening the existing developed district. It is very important to emphasize that this project will follow all the requirement as set in The City Of El Paso Municipal Code .

II. Objective

This development will offer a new residential/commercial mixed use, both are combined in a single building where residential use will occupy the second floor and ground floor will be exclusive for retail spaces.

III. Characteristics

Description

This property: The Lot 1, Block 28, Terrace Hills Addition Unit Four, City Of El Paso, El Paso County, Texas, is a vacant lot and this project presents a clear scheme to incorporate a functional building where retail spaces and residential use will be integrated with the existing urban criteria, promoting work/live opportunities as well as economic development in this area and therefore having a positive impact on the community.

The retail proposed area is 4,780.9 square feet and be located on the ground floor, the residential /apartment area is 1,509 square feet (2 unit, one bedroom each) and be located on the second floor.

Only a specific list of uses will be allowed according to the needs of the residents. Some of the uses proposed are: Art Gallery, book store, beauty shop, dry cleaning, professional services offices, after schools learning centers, photography studio, yoga classes, flower shop, print and copy shop. (See attach uses list to this document)

This plan represents a great improvement for the northeast community and will fit perfectly with the surrounding developed areas.

Access

This project will provide safe and efficient vehicular and pedestrian access.

The building will have access along Fairbanks Street and the exits will be located at Shenandoah and Fairbanks Streets.

Setbacks

According to the General Design Principles as per Title 20.10.360G "Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the city council as part of the review of the master zoning plan". In this case a setback reduction is required, the proposed project demands zero setbacks.

Landscaping

According to the General Design Principles as per Title 20.10.360G "Uses within a mixed-use development shall not be required to conform to the landscaping requirements of Title 18 (Building and Construction) of the El Paso City Code"

Landscaping , streetscape, amenities, and all other green areas proposed within the mixed-use development shall be shown and considered as part of the master zoning plan and mixed-use development plan approval process

This project proposed a 190 square feet court yard/open space, a small area that can be use like a recreation space where people can gather together and reinforce their community identity, having lunch, waiting for their appointments or just taking a break, for example.

Parking

The parking area will be located at the back of the building and the car parking spaces required for this project are 20, the car spaces proposed are 10, therefore will request a 50 % parking reduction. This project will comply with parking requirements in Chapter 20.14 that applied for purposes of calculating required spaces.

Also, is important to keep in mind that this GMU development promotes pedestrian activity within the neighborhood .

Phasing

This building will be constructed in 2 phases:

- Phase 1: Retail Spaces, ground floor, to be build in a short term period
- Phase 2: Residential area, first floor, to be build in a medium term period

IV. Relationship with the plan for El Paso

This venture is a great model to reach The City Of El Paso Infill Goals , make the northeast area more attractive and affordable and also promotes a work /live community as well as to encourage surrounding neighbors to walk instead of driving.

This GMU project will be compatible with the existing developed areas , the façade will face Fairbanks Dr, the main street adjacent to this complex, almost facing the already developed business areas. The architectural character will define the identity of the community to keep an harmonious environment. (See Attach Renderings to this document)

5101 FAIRBANKS GMU PROJECT

USES	Minimum area	SET BACKS			MAXIMUM BUILDING HEIGHT
		Front	Back	Side	
COMMERCIAL USES	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Veterinary Treatment (Small Animals)	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Art Gallery	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Child care facility Type 3,4,5 and 7	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Courier and Message Center	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Adult Day Care Center	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Employment Agency	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Financial Institution	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Office, business	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Office, medical	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Office, professional	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
School, Arts and Crafts	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Studio, Dance and Music	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Studio, Photography	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Clinic	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Drug Store	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Pharmacy	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Athletic Facility (Indoor)	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Barber Shop	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Beauty Salon	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Dry Cleaners	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Laundromart, laundry	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Locksmith	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Shoe Repair	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Community Recreational	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Household goods repair	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Bakery	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Book Store	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Boutique	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Cafeteria	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Coin-operated Vending machines(indoor)	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Locksmith	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Flower Shop	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Hobby Store	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Music Store	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Other Retail establishment (Low volume)	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Pawn Shop	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Pet Shop	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Print and Copy Shop	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Produce Stand	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Restaurant (sit down)	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Shopping center, community	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
Specialty Shop	711 Sf	0 Ft	0 Ft	0 Ft	18 Ft
RESIDENTIAL USES					
Apartments - 2 units	711 Sf	0 Ft	0 Ft	0 Ft	30 Ft



